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6 Attorneys for Plaintiff
SHAWN DAY
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 SHAWN DAY, individually and as successor in
12 interest to the Estate of Steffen Matthew Day,

13 Plaintiff,

14 vs.

15 COUNTY OF CONTRA COSTA, JOSHUA
PATZER, WARREN RUPF, and Does 1
16 through 50, et al.,

17 Defendants.
18

Case No. C07-4335-PJH

**DECLARATION OF ARCHIE GORE IN
OPPOSITION TO DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT / SUMMARY
ADJUDICATION**

Date: September 10, 2008
Time: 9:00 a.m.
Judge: Honorable Phyllis J. Hamilton
19 Dept: Courtroom 3, 17th Floor (SF)

19 I, ARCHIE GORE, DECLARE:

20 1. I am a private investigator. I was retained by the law firm of Casper, Meadows,
21 Schwartz & Cook to conduct an investigation into the shooting death of Steffen Day which
22 occurred on August 15, 2006 at 26 Galleon Way, Pittsburg, California.


23 2. As part of my investigation, I prepared a detailed diagram of the outside area of
24 26 Galleon Way, Pittsburg, California. The diagram attached hereto as Exhibit 1 is true in its
25 measurements and is accurately configured as to its North/South orientation.

26 I declare under the penalty of perjury under the laws of the State of California that the
27 foregoing is true and correct and that I could competently testify in person as to these facts
28 and opinions.

Declaration Of Archie Gore In Opposition To Defendants' Motion

1 I declare under the penalty of perjury under the laws of the State of California and the
2 United States that the foregoing is true and correct and that I could competently testify in
3 person as to these facts and opinions.

4 Executed at ANTIOCH, California on August 18, 2008.
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10 ARCHIE GORE
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1 PROOF OF SERVICE

2 RE: Shawn Day, et al. v. County of Contra Costa, et al.
 3 United States District Court Case No. C07-4335-PJH

4 I am a citizen of the United States and am employed in the County of Contra
 5 Costa, State of California. I am over eighteen (18) years of age and not a party to the
 6 above-entitled action. My business address is 2121 North California Blvd., Suite
 1020, Walnut Creek, CA 94596. On the date below, I served the following documents
 in the manner indicated on the below-named parties and/or counsel of record:

7 DECLARATION OF ARCHIE GORE IN OPPOSITION TO DEFENDANTS' MOTION
 8 FOR SUMMARY JUDGMENT / SUMMARY ADJUDICATION

- 9 ☐ U.S. MAIL, with First Class postage prepaid and deposited in sealed envelopes
 10 at Walnut Creek, California.
 11 ☐ ELECTRONICALLY, I caused said documents to be transmitted using ECF as
 12 specified by General Order No. 45 to the following parties.
 13 ☐ FACSIMILE TRANSMISSION from (925) 947-1131 during normal business hours,
 14 complete and without error on the date indicated below, as evidenced by the
 15 report issued by the transmitting facsimile machine.
 16 ☒ Hand-Delivery Via Courier
 17 Other: OVERNIGHT DELIVERY. On the date indicated below, I placed a true and
 18 correct copy of the aforementioned document(s) in a sealed envelope and/or
 19 package designated by **Federal Express Priority Overnight**, individually
 20 addressed to the parties indicated below, with fees fully prepaid, and caused
 21 each such envelope and/or package to be deposited for pick-up on the same
 22 day by an authorized representative of **Federal Express** at Walnut Creek,
 23 California, in the ordinary course of business.

18 **For Defendants**

19 James V. Fitzgerald, III
 20 McNamara, Dodge, Ney, Beatty, Slattery & Pfalzer LLP
 1211 Newell Avenue
 Walnut Creek, CA 94596
 Tel: (925) 939-5330
 21 Fax: (925) 939-0203

22
 23 I declare under penalty of perjury under the laws of the State of California,
 24 and the United States of America, that the foregoing is true and correct and that I am
 25 readily familiar with this firm's practice for collection and processing of documents for
 mailing with the U.S. Postal Service.

26 Dated: August 20, 2008

27 
 28 SHANNON M. BOWERS

EXHIBIT 1

